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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT

(Shasta)

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In re B.K., a Person Coming Under the Juvenile  
Court Law.

SHASTA COUNTY HEALTH AND HUMAN  
SERVICES AGENCY,

Plaintiff and Respondent,

v.

N.C.,

Defendant and Appellant.

C087025

(Super. Ct. No. 16JVSQ3083701)

This dependency case commenced in November 2016 when the minor was detained due, primarily, to mother's substance abuse. The juvenile court declared the minor a dependent child, and both mother and father received reunification services for six and nine months, respectively. During the reunification period, the paternal grandmother requested placement of the minor. Her request was denied because her placement packet was still being processed.

Reunification services were terminated one year later. At the time services were terminated, the juvenile court readdressed the issue of placement of the minor with the

paternal grandmother, whose home had been approved for placement. The juvenile court ordered the paternal grandmother to submit to a hair follicle test and directed her not to alter her hair prior to the testing. The paternal grandmother did not comply with the testing order. On November 28, 2017, the juvenile court granted the Shasta County Health and Human Services Agency's (Agency) request to rule out the paternal grandmother for placement.

On March 23, 2018, the paternal grandmother filed a Welfare and Institutions Code<sup>1</sup> section 388 petition for modification, seeking placement of the minor in her home. Counsel for the paternal grandmother requested that the hearing on the petition coincide with the previously set April 13, 2018 section 366.26 hearing. Neither father nor the paternal grandmother appeared at the hearing. Counsel for the paternal grandmother indicated her client had transportation issues and requested a continuance of both hearings. The Agency argued there was no need for a hearing on the petition for modification because the petition did not set forth a change of circumstances nor demonstrate the proposed change was in the minor's best interests. The juvenile court summarily denied the petition for modification and terminated parental rights.

Father filed a notice of appeal from the juvenile court's April 13, 2018 orders terminating his parental rights and denying the paternal grandmother's section 388 petition for modification seeking placement of the minor. The paternal grandmother also appealed from the denial of her section 388 petition for modification, which matter is pending in this court in case No. C087300. Father's opening brief in this case consists of a recitation of the procedural and factual background and a statement that he joins in the first three arguments made in the paternal grandmother's opening brief in case No. C087300. Those arguments challenged the juvenile court's findings that the paternal

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<sup>1</sup> Undesignated statutory references are to the Welfare and Institutions Code.

grandmother had not shown a change of circumstance, she had not presented new evidence, and the proposed change would not be beneficial to the minor. He states that, although the paternal grandmother was not a party to the dependency proceedings, she has standing to appeal the denial of her petition for modification and, therefore, father is permitted to join in her request.

Although joinder of arguments in the same, or a related, case may be broadly permitted, each appellant has the burden of demonstrating error and prejudice. (*People v. Nilsson* (2015) 242 Cal.App.4th 1, 12, fn. 2; see also Cal. Rules of Court, rule 8.200(a)(5).) By simply joining in the paternal grandmother's argument in her appeal from the denial of her section 388 petition for placement, father does not demonstrate how he is prejudiced from said denial.

On the merits, father lacks standing to challenge the denial of the paternal grandmother's section 388 petition because he is *not* aggrieved by the denial of the section 388 petition seeking placement of the minor.

“ ‘[W]hether one has standing in a particular case generally revolves around the question whether that person has rights that may suffer some injury, actual or threatened.’ [Citation.]” (*Cesar V. v. Superior Court* (2001) 91 Cal.App.4th 1023, 1034-1035.) A parent in a juvenile dependency proceeding may not raise claims of error on appeal unless the error affected the parent's “own rights.” (*In re Jasmine J.* (1996) 46 Cal.App.4th 1802, 1806.)

Once reunification services have been terminated, a parent's interest in the care, custody and companionship of the child is no longer paramount and the focus shifts to the child's need for permanency and stability. (*In re Stephanie M.* (1994) 7 Cal.4th 295, 317.) Thus, “[a] parent's appeal from a judgment terminating parental rights confers standing to appeal an order concerning the dependent child's placement *only if the placement order's reversal advances the parent's argument against terminating parental rights.*” (*In re K.C.* (2011) 52 Cal.4th 231, 238, italics added.) When, as here, a parent

does not claim his or her parental rights were improperly terminated, the parent has no “remaining, legally cognizable interest” in the child’s affairs, including the child’s placement. (*In re K.C.*, *supra*, at p. 237.)

Father makes no claim his parental rights were erroneously terminated, or the failure to place the minor with the paternal grandmother potentially altered the juvenile court’s decision to terminate his parental rights. Father is, therefore, not aggrieved by the failure to place the minor with the paternal grandmother and has no standing to challenge the denial of her petition for modification. (*In re K.C.*, *supra*, 52 Cal.4th at p. 238; *In re Jasmine J.*, *supra*, 46 Cal.App.4th at p. 1804.) Accordingly, father’s appeal from the juvenile court’s orders denying the paternal grandmother’s petition for modification is dismissed for lack of standing.

Father makes no claim of error as to the juvenile court’s orders made at the section 366.26 hearing terminating his parental rights. Accordingly, father’s appeal from the juvenile court’s section 366.26 orders is dismissed as abandoned.

#### DISPOSITION

The appeal is dismissed.

\_\_\_\_\_/s/  
HOCH, J.

We concur:

\_\_\_\_\_/s/  
RAYE, P. J.

\_\_\_\_\_/s/  
HULL, J.